

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

AMERICAN SOUTHERN INSURANCE
COMPANY,

Plaintiff,

v.

Case No. 8:19-cv-2244-T-36-AEP

YELLOW CAB COMPANY OF
TAMPA, INC.,

Defendant.

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ORDER

This cause came before the Court on Plaintiff's Motion for Issuance of Writ of Garnishment Against Truist Bank ("Motion") (Doc. 30). This matter arises from Plaintiff's efforts to collect on its Amended Judgment (Doc. 29) entered against Defendant Yellow Cab Company of Tampa, Inc., totaling \$180,000 plus post judgment interest at a rate of 6.03% per annum. Plaintiff seeks a writ of garnishment against Truist Bank, who Plaintiff believes is in possession of money that may be used to satisfy the judgment. For the reasons below, Plaintiff's Motion is denied without prejudice.

Plaintiff did not address whether this Court has jurisdiction to issue the writ. A writ of garnishment will only be enforceable within the bounds of the federal district in which it was issued. *See JPI Partners, LLC v. Dixon*, No. 6:07-MC-77-ORL-22DAB, 2008 WL 2185744, at *2 (M.D. Fla. 2008) (considering a writ of

execution); *Lapinski v. St. Croix Condo. Ass'n., Inc.*, No. 6:16-cv-1418-Orl-40GJK, 2019 WL 1491568, at *1 (M.D. Fla. Jan. 24, 2019) (denying Motion for Writ of Garnishment because the garnishee was located in the Southern District of Florida and thus, the court lacked jurisdiction to issue the writ). In issuing a writ of garnishment, the court must not only have personal jurisdiction over the garnishee, but it also must have jurisdiction over the property to be garnished. *Lapinski*, 2019 WL 1491568 at *1 (citing *Skulas v. Loiselle*, No. 09-60096-CIV, 2010 WL 1790439, at *2-3 (S.D. Fla. April 9, 2010)).

Here, Plaintiff moves this Court to issue a writ of garnishment directed towards Truist Bank, the garnishee. In Plaintiff's proposed writ, Plaintiff lists Truist Bank's address as 1200 South Pine Island Road, Plantation, Florida 33324. However, this address is not located in the Middle District of Florida but rather, is in the Southern District of Florida.¹ Thus, Plaintiff has not demonstrated that this Court has jurisdiction to issue the writ to a garnishee located outside this Court's jurisdictional boundaries.

Accordingly, it is hereby

ORDERED:

1. Plaintiff's Motion for Issuance of Writ of Garnishment Against Truist Bank (Doc. 30) is hereby DENIED WITHOUT PREJUDICE.

¹ Additionally, Craig A. Rubinstein is listed as the attorney for Plaintiff in the proposed writ of garnishment (Doc. 30-1), however, Mr. Rubenstein is not listed as an attorney of record for Plaintiff.

DONE AND ORDERED in Tampa, Florida, on this 20th day of January,
2021.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record